

to meet arbitrary goals that boost the sale of ethanol, whether we need it or not. Second, consumers will face reduced Federal assistance for transportation projects because the money is going to be going to the ethanol producers, not to fix your roads or your bridges. Third, consumers may experience potential environmental and public health impacts. But guess what. You are barred from seeking redress. Who needs tort reform, just stick this in the energy bill and forget about ever getting any kind of liability against anybody who may be intentionally or negligently causing health or environmental harm. And fourth, you can't sue the manufacturers and the oil companies.

There are some very positive aspects of these provisions to phase out MTBE and eliminate the oxygenate requirement. We have long fought for this. There are many in this body who have been working on this a lot longer than I have. I applaud those Members for doing everything possible to ban MTBE and eliminate this oxygenate requirement. With about 13 States having already taken such action, this is an issue that needs to be addressed. But this is the wrong way to do it.

New York and California are on the front lines of this battle because California had originally banned MTBE as of January 1, 2003, although the Governor was forced to push the date back a year. Now California and New York, with millions and tens of millions of consumers, are in the same boat because New York has also banned MTBE. But Arizona has also taken final action to ban MTBE. Colorado has mandated a phaseout, Connecticut has also phased it out as of 2004, and even Illinois has banned the use, sale, distribution, blending, or manufacturing of MTBE as a fuel additive, along with Kansas and Michigan. And Minnesota has prohibited the sale of gasoline containing more than .3 percent volume by weight of MTBE and required the phaseout by July 2005.

There are many States that have taken actions. They have actually passed laws. There are numbers of others who are trying to take action to phase it out.

We do need Federal action. My colleagues from New York and California and I understand that we need to pass provisions that will work. But that does not mean we should pass a 5-billion-gallon, anticonsumer, gas-price-increasing ethanol mandate.

So, Mr. President, I hope that calmer heads will prevail in this debate, that we will understand the important role of ethanol, provide an opportunity for that market to grow, but not mandate it, not interfere with the operation of the market, not provide subsidies, not require consumers to buy it whether we need it or not, and not protect the producers from public health and environmental liability.

What is going on here? Any business or any sector of the economy would

love to have a mandated tax increase directly into their pocketbooks. That is not the purpose of having an energy bill that puts us on the path to self-sufficiency. I certainly don't think the tens of millions of consumers who may be following this debate think at the end of the day they are going to be transferring hard-earned money out of their pockets into the pockets of ethanol manufacturers, whether it helps or not.

So I really hope my colleagues will consider the impact of this policy and join with those of us who are looking at this from the longer term perspective to come up with an amendment that provides the kind of support for ethanol we all believe would be in our best interest, without the damaging mandates that this approach would require.

Again, I don't think anybody in this body came to this energy debate thinking they were voting to raise this gas tax, but indeed if we pass this as currently written, that is exactly what we are going to do. Those people who are going to pay that increased cost, starting in a few years, are going to turn around and say: Why is this happening?

It is going to be hard for us to explain. There is no reason for us to make this decision when there are alternatives and we can work together and make it possible for us to have a much better approach without the damaging impact this amendment on ethanol would cause to our entire country.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. I understand we have the regular order, and the Senator who is supposed to speak is not here.

The PRESIDING OFFICER. The Senator is correct. There is no order for speakers. The Senator may proceed.

Mr. DOMENICI. Mr. President, I ask unanimous consent to speak for 3 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I rise today to call attention to a very special anniversary that many in my home state of New Mexico will take time to remember this weekend. Saturday, April 13th will mark the sixty-year anniversary of the Bataan Death March. Some eighteen-hundred men from the 200th Coast Anti-Artillery Aircraft and the 515th Coast Anti-Artillery, Aircraft, New Mexico National Guard Units were involved in that infamous march.

I do not think words can fully describe the bravery of these veterans and the horrific conditions they endured. In all, more than seventy thousand American and Filipino prisoners of war were captured in April 1942 and force-marched to a Japanese work camp. Suffering from starvation and physical abuse, more than seven thousand died and only about fifty-six thou-

sand reached the camp. Thousands later died from malnutrition and disease. Of those eighteen-hundred from the New Mexico Brigade, fewer than nine-hundred returned.

On Saturday, in Las Cruces, New Mexico, we will dedicate the Bataan Death March Memorial in memory and in honor of these men. And because New Mexicans made up such a large proportion of those prisoners involved in the march, this anniversary and dedication ceremony have stirred many emotions throughout my state. For those survivors and their families, there is a great sense of pride. Of course, there is much lingering pain, as well. But by establishing a memorial in their honor, we build a bridge to that emotion—a bridge that will allow all generations of Americans to imagine the suffering these men endured, and to remember, forever, their true valor.

For all Americans who are unable to travel to the Southwest to see the beautiful bronze statue portraying an American soldier and a Filipino soldier comforting an injured American comrade during the midst of that seven-day march, I would encourage you to take the time to learn about the horrors these men suffered—to learn their story. It is both sobering and inspiring, and I pay tribute to their heroism today.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CLELAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Georgia is recognized.

Mr. CLELAND. I thank the Chair.

(The remarks of Mr. CLELAND pertaining to the introduction of S. 2115 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. CLELAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. CLINTON). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak for not to exceed 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENTRY INTO FORCE OF THE INTERNATIONAL CRIMINAL COURT

Mr. DODD. Madam President, today with the deposit of the 66th instruments of ratification of the Rome Statute, the International Criminal Court is on track to enter into force on July 1. I rise to acknowledge and congratulate those who have labored to reach this moment—the creation of a permanent international forum to bring to justice heinous criminals who have committed crimes against humanity, the fulfillment of the legacy of Nuremberg. The Nuremberg Trial of the leading Nazi war criminals following World War II was a landmark in the struggle to deter and punish crimes of war and genocide, setting the stage for the Geneva and Genocide Conventions. It was also largely an American initiative. Justice Robert Jackson's team drove the process of drafting the indictments, gathering the evidence and conducting this extraordinary case.

My father, Thomas J. Dodd, served as executive trial counsel at Nuremberg, it was among his proudest accomplishments. I believe that he would have been proud today to see the International Criminal Court, ICC, come into existence. He believed that America had a special role to help make the rule of law relevant in every corner of the globe. I believe that he would have endorsed President Clinton's decision to sign the Rome Statute in December of 2000 on behalf of the United States. President Clinton did so knowing full well that much work remains to be done before the United States can become a party to the U.N. convention establishing an International Criminal Court.

Now that the establishment of the ICC is inevitable, the United States must now determine what its relationship with the Court will be. Rather than adopting a course that will pit us against our best friends and allies, I call for the United States to be actively engaged with the ICC in working to ensure that it demonstrates the highest standards of jurisprudence and integrity. Although the United States is not a party to the treaty, The United States should feel free to raise its voice and give its opinion on who should be selected to be the Court's judges and prosecutors. The United States should also use its seat on the U.N.'s Security Council to refer situations to the Court, such as the current conflict in Sudan that has already claimed over 2 million lives as a result of war crimes, genocide, and crimes against humanity. And above all, the United States should be a watchdog of the Court's integrity and keep it laser focused on its primary task, bringing to justice the world's worst criminals.

There are those in Congress and the Administration who would have the United States repudiate the ICC, and work to tear it down. They would have us take the unprecedented step of "unsigning" the Rome Statute. I have just cited a number of vital American

interests that are wrapped up in the Court. Those interests are not going to be erased with the name of the United States from the Rome Statute. That is why I strenuously oppose such action: it is irresponsible, isolationist, and contrary to our vital national interests. Many of our closest allies have put their faith in the vision of this new legal instrument. We should give them the benefit of the doubt that they are committed to making the court work to strengthen international respect for the rule of law. I will include the list of the States that have signed and ratified the Rome Statute at the conclusion of my remarks.

I call on the Bush administration to recognize that there is a constructive and useful role that the United States can perform without making a decision at this juncture concerning US ratification. We should be prepared to lend our expertise in grappling with the many issues that remain to be resolved before the court becomes fully functioning. That is what a global power with the stature of the United States should do.

I ask unanimous consent to print in the RECORD the list of States to which I referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT—PARTICIPANTS

Participant	Signature	Ratification
Albania	18 Jul 1998	
Algeria	28 Dec 2000	
Andorra	18 Jul 1998	30 Apr 2001
Angola	7 Oct 1998	
Antigua and Barbuda	23 Oct 1998	18 Jun 2001
Argentina	8 Jan 1999	8 Feb 2001
Armenia	1 Oct 1999	
Australia	9 Dec 1998	
Austria	7 Oct 1998	28 Dec 2000
Bahamas	29 Dec 2000	
Bahrain	11 Dec 2000	
Bangladesh	16 Sep 1999	
Barbados	8 Sep 2000	
Belgium	10 Sep 1998	28 Jun 2000
Belize	5 Apr 2000	5 Apr 2000
Benin	24 Sep 1999	22 Jan 2002
Bolivia	17 Jul 1998	
Bosnia and Herzegovina	17 Jul 2000	11 Apr 2002
Botswana	8 Sep 2000	8 Sep 2000
Brazil	7 Feb 2000	
Bulgaria	11 Feb 1999	11 Apr 2002
Burkina Faso	30 Nov 1998	
Burundi	13 Jan 1999	
Cambodia	23 Oct 2000	11 Apr 2002
Cameroon	17 Jul 1998	
Canada	18 Dec 1998	7 Jul 2000
Cape Verde	28 Dec 2000	
Central African Republic	7 Dec 1999	3 Oct 2001
Chile	11 Sep 1998	
Colombia	10 Dec 1998	
Comoros	22 Sep 2000	
Congo	17 Jul 1998	
Costa Rica	7 Oct 1998	7 June 2001
Côte d'Ivoire	30 Nov 1998	
Croatia	12 Oct 1998	21 May 2001
Cyprus	15 Oct 1998	7 Mar 2002
Czech Republic	13 Apr 1999	
Democratic Republic of the Congo	8 Sep 2000	11 Apr 2002
Denmark	25 Sep 1998	21 Jun 2001
Djibouti	7 Oct 1998	
Dominica		12 Feb 2001 ²
Dominican Republic	8 Sep 2000	
Ecuador	7 Oct 1998	5 Feb 2002
Egypt	26 Dec 2000	
Eritrea	7 Oct 1998	
Estonia	27 Dec 1999	30 Jan 2002
Fiji	29 Nov 1999	29 Nov 1999
Finland	7 Oct 1998	29 Dec 2000
France	18 Jul 1998	9 June 2000
Gabon	22 Dec 1998	20 Sep 2000
Gambia	4 Dec 1998	
Georgia	18 Jul 1998	
Germany	10 Dec 1998	11 Dec 2000
Ghana	18 Jul 1998	20 Dec 1999
Greece	18 Jul 1998	
Guinea	7 Sep 2000	

ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT—PARTICIPANTS—Continued

Participant	Signature	Ratification
Guinea-Bissau	12 Sep 2000	
Guyana	28 Dec 2000	
Haiti	26 Feb 1999	
Honduras	7 Oct 1998	30 Nov 2001
Hungary	15 Jan 1999	25 May 2000
Iceland	26 Aug 1998	
Iran (Islamic Republic of)	31 Dec 2000	
Ireland	7 Oct 1998	11 Apr 2002
Israel	31 Dec 2000	
Italy	18 Jul 1998	26 Jul 1999
Jamaica	8 Sep 2000	
Jordan	7 Oct 1998	11 Apr 2002
Kenya	11 Aug 1999	
Kuwait	8 Sep 2000	
Kyrgyzstan	8 Dec 1998	
Latvia	22 Apr 1999	
Lesotho	30 Nov 1998	6 Sep 2000
Liberia	17 Jul 1998	
Liechtenstein	18 Jul 1998	2 Oct 2001
Lithuania	10 Dec 1998	
Luxembourg	13 Oct 1998	8 Sep 2000
Madagascar	18 Jul 1998	
Malawi	22 Mar 1999	
Mali	17 Jul 1998	16 Aug 2000
Malta	17 Jul 1998	
Marshall Islands	6 Sep 2000	7 Dec 2000
Mauritius	11 Nov 1998	5 Mar 2002
Mexico	7 Sep 2000	
Monaco	18 Jul 1998	
Mongolia	29 Dec 2000	11 Apr 2002
Morocco	8 Sep 2000	
Mozambique	28 Dec 2000	
Namibia	27 Oct 1998	
Nauru	13 Dec 2000	12 Nov 2001
Netherlands	18 Jul 1998	17 Jul 2001 ¹
New Zealand	7 Oct 1998	7 Sep 2000
Niger	17 Jul 1998	11 Apr 2002
Nigeria	1 Jun 2000	27 Sep 2001
Norway	28 Aug 1998	16 Feb 2000
Oman	20 Dec 2000	
Panama	18 Jul 1998	21 Mar 2002
Paraguay	7 Oct 1998	14 May 2001
Peru	7 Dec 2000	10 Nov 2001
Philippines	28 Dec 2000	
Poland	9 Apr 1999	12 Nov 2001
Portugal	7 Oct 1998	5 Feb 2002
Republic of Korea	8 Mar 2000	
Republic of Moldova	8 Sep 2000	
Romania	7 Jul 1999	11 Apr 2002
Russian Federation	13 Sep 2000	
Saint Lucia	27 Aug 1999	
Samoa	17 Jul 1998	
San Marino	18 Jul 1998	13 May 1999
Sao Tome and Principe	28 Dec 2000	
Senegal	18 Jul 1998	2 Feb 1999
Seychelles	28 Dec 2000	
Sierra Leone	17 Oct 1998	15 Sep 2000
Slovakia	23 Dec 1998	11 Apr 2002
Slovenia	7 Oct 1998	31 Dec 2001
Solomon Islands	3 Dec 1998	
South Africa	17 Jul 1998	27 Nov 2000
Spain	18 Jul 1998	24 Oct 2000
Sudan	8 Sep 2000	
Sweden	7 Oct 1998	28 Jun 2001
Switzerland	18 Jul 1998	12 Oct 2001
Syrian Arab Republic	29 Nov 2000	
Tajikistan	30 Nov 1998	5 May 2000
Thailand	2 Oct 2000	
The Former Yugoslav Republic of Macedonia	7 Oct 1998	6 Mar 2002
Trinidad and Tobago	23 Mar 1999	6 Apr 1999
Uganda	17 Mar 1999	
Ukraine	20 Jan 2000	
United Arab Emirates	27 Nov 2000	
United Kingdom of Great Britain and Northern Ireland	30 Nov 1998	4 Oct 2001
United Republic of Tanzania	29 Dec 2000	
United States of America	31 Dec 2000	
Uruguay	19 Dec 2000	
Uzbekistan	29 Dec 2000	
Venezuela	14 Oct 1998	7 Jun 2000
Yemen	28 Dec 2000	
Yugoslavia	19 Dec 2000	6 Sep 2001
Zambia	17 Jul 1998	
Zimbabwe	17 Jul 1998	

¹ Acceptance.

² Accession.

KIDS ARE GETTING KILLED

Mr. LEVIN. Mr. President, for the third time in 6 weeks, a gunman has killed a young girl in Detroit. The first time it was a 7-year-old, killed by a man who opened fire on a car full of children. The second time it was a 3-year-old, shot while she was watching television in her room. And just this past Wednesday, an 8-year-old was shot while sleeping at home. The Detroit Police Department has one man in custody, but no one has been formally